

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Registration & Stamps Department – Sri Digumarthi Jayaraju, SR, SRO, Jangareddygudem, W.G.District - Allegation of corruption – Surprise check conducted on 8-4-2015 - Departmental proceedings under Rule 20 of APCS (CC&A) Rules, 1991 – Article of charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.755

Dated:25-07-2017

Read the following:

- 1.DG, ACB Lr.C.No.72/DES-EWG/2015, dt:18-6-2016.
- 2.DG, ACB Lr.C.No.72/DES-EWG/2015, dt:3-2-2017.
- 3.G.O.Ms.No.311, Revenue (Vig.II) Department, dt:25-07-2017.

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ORDER:

It is proposed to hold an enquiry against Sri Digumarthi Jayaraju, Sub Registrar, Sub Registrar Office, Jangareddygudem, West Godavari District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexures-II & III).

3. Sri Digumarthi Jayaraju, Sub Registrar, Sub Registrar Office, Jangareddygudem, West Godavari District is directed to submit his Written Statement of Defense within 15 days from the date of the receipt of this order.

4. Sri Digumarthi Jayaraju, Sub Registrar, Sub Registrar Office, Jangareddygudem, West Godavari District is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Digumarthi Jayaraju, Sub Registrar, Sub Registrar Office, Jangareddygudem, West Godavari District is further informed that if he does not submit his Written Statement of Defense on or before the date specified in the para-3 above, further action will be processed based on the material available.

6. Attention of Sri Digumarthi Jayaraju, Sub Registrar, Sub Registrar Office, Jangareddygudem, West Godavari District is invited to Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant should bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri Digumarthi Jayaraju, Sub Registrar, Sub Registrar Office, Jangareddygudem, West Godavari District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE, R&S)

To

The Individual (through the Deputy Inspector General, Registration & Stamps, Eluru, West Godavari District with a direction to serve the order on the individual and furnish the served copy along with dated acknowledgement to Government for record).

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The Deputy Inspector General, Registration & Stamps, Eluru, West Godavari District.

Copy to:

The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada, Krishna District.

The Secretary to the Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi, Guntur District.

The Director General, Anti Corruption Bureau, Andhra Pradesh, Pandit Nehru Bus Station, NTR Administrative Block, II Floor, Vijayawada.

SF / SC

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI DIGUMARTHI JAYARAJU, SUB-REGISTRAR, O/O SRO, JANGAREDDYGUDEM, W.G.DISTRICT.

That Sri Digumarthi Jayaraju, S/o. Venkanna, Sub-Registrar, O/o Sub Registrar Office, Jangareddygudem, West Godavari District., (Surprise Check conducted on 08.04.2015) joined in Government Service on 02-07-1996 as Typist in Stamps & Registration Department, West Godavari District and promoted as Senior Assistant in the year 2004 later promoted as Sub-Registrar in the year 2011 and working as such at Jangareddygudem from 01-10-2014 to 08.04.2015 (i.e. till the date of surprise check) While working as such during aforesaid period, he has committed grave misconduct in as much as:

CHARGE-1:

That the Charged Government Servant-collected an amount of Rs.80,310/- illegally from the public who approached the Sub-Registrar, Jangareddygudem for registration of documents and other official favour through private person employed by him i.e., Kattera Raju @ PeddiRaju, and secreted the said amount between the files kept in current record room situated behind his podium and failed to give proper explanation.

CHARGE-2:

That the Charged Government Servant allowed private person i.e., Kattera Raju @ Peddiraju and 3 document writers to enter into the office during and beyond office hours and utilizing their services in the office for his personal gain.

CHARGE-3:

That the Charged Government Servant did not take steps to dispose long standing pending documents without any reason and exhibited gross negligence in his duty.

Thus, the said Charged Government Servant., by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rule 3(1)(2) & 9(8A) of APCS (C) Rules, 1964 and instructions issued in Circular Memo No.X2/10708/94, Dt.30.12.1997 and Circular Memo No.G1/576/2013 dated 10.04.2013 of Commissioner & Inspector General of Registrations and Stamps, Andhra Pradesh, Hyderabad.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE, R&S)

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF CHARGES FRAMED AGAINST SRI DIGUMARTHI JAYARAJU, SUB-REGISTRAR, O/o SRO, JANGAREDDYGudem, W.G.DISTRICT.

That Sri Digumarthy Jayaraju, S/o Venkanna, Sub-Registrar, O/o Sub Registrar Office, Jangareddy gudem, West Godavari District is a native of Koyyalagudem, West Godavari District. His date of birth is 25-03-1971. On 02-07-1996 he joined in Government service as Typist in Stamps & Registration Department, West Godavari District and promoted as Senior Assistant in the year 2004 Later he promoted as Sub-Registrar in the year 2011. He is working as such at Jangareddygudem from 01-10-2014 to 08.04.2015 (i.e. till the date of surprise check) His date of retirement on attaining the age of superannuation is 31-03-2031. He is hereinafter referred as "Charged Government Servant" for the sake of brevity.

Brief Facts are that:

On credible information that the Sub-Registrar, Jangareddygudem, West Godavari District is indulging in corrupt practices by employing unauthorized private persons and collecting excess amounts/bribes from the public who approach them for registration of their Documents and other official favours, a surprise check was conducted on 08.04.2015 and the following facts revealed during surprise check.

By the time the surprise check party entered into the O/o Sub Registrar a Person was found sitting in Sub Registrar Officer's chair in the entrance room and seven persons present in Sub Registrar Office. Then the Deputy Superintendent of Police introduced himself to the person, who is sitting in the Sub Registrar Officer's chair and ascertained his identity as Digumarthi Jayaraju, S/o. Venkanna, aged 43 years, Sub-Registrar, O/o. Sub Registrar Office, Janagareddy gudem R/o. Door No. 28-3-35/1, Vidya Nagar, Eluru, West Godavari District who introduced his staff members. Out of the said Seven Persons 3 are staff members and 3 are Private persons.

Sri Bhogaraju Srinivasu, S/o. Venkataratnam, aged 35 years, Document Writer. R/o. Door No.19-2-135/1, beside Sub Registrar Office, Jangareddygudem. On examination, they stated that, he is working as document writer and also collects bribe amount on behalf of the Charged Government Servant from the persons coming for registration of their properties and that on that day he got registered 8 documents. He further stated that at the end of the transactions, he will hand over the money to one, Mr. Kattera Raju @ Peddi Raju, who collects everyday mamools from the Document Writers on behalf of the Charged Government Servant and he in-turn will give 5% commission to him for the work done by him. He already handed over the mamools amount to K. Peddi Raju just prior to arrival of surprise check party. When the Deputy Superintendent of Police asked the Charged Government Servant about K. Peddi Raju, then the Charged Government Servant informed while entering surprise check party he left the office.

Sri Gudelli Ramesh Babu, S/o. Aggi Ramudu, aged 33 years, Document Writer, R/o. Near RCM Church, Devulapalli Village, Jangareddygudem Mandal, West Godavari District. On examination, he stated that he is a document writer and collects bribe amount on behalf of Charged Government Servant from the persons coming for registration of their properties. He further stated that at the end of the transaction, he will hand over the money to Charged Government Servant in-turn he will give 6% commission to him for the work done by him. He further stated that he already handed over the mamools amount to K. Peddi Raju just prior to arrival of surprise check party.

Sri Ayinampudi Raja Varma, S/o. Prasad, Age: 21 years, Document Writer R/o Near BC Girls Hostel, Parimpudi, Koyyalagudem Village and Mandel, West Godavari District. On examination, he stated that he is working as document writer and also collects bribe amount on behalf of the

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Charged Government Servant from the persons coming for registration of their properties. He stated that at the end of the transaction, he will hand over the money to the Charged Government Servant in-turn he will give 5% commission to him for the work done by him. He further stated that he already handed over the mamools amount to Kattera Raju @ Peddi Raju just prior to arrival of surprise check party.

During the searches the search party found a wad of currency notes between the files which were kept in shelf available in the record room situated behind the podium of the Charged Government Servant, and it is found to be Rs.80,310/-. When the Deputy Superintendent of Police questioned the Charged Government Servant about the money found in the current record room, he could not give proper reply and kept silent. As it is unaccounted amount the Deputy Superintendent of Police seized the said amount of Rs.80,310/- for further investigation.

When Sri Kattera Raju @ Peddiraju examined he stated that he was employed by the Charged Government Servant unofficially as Office Boy in the O/o Sub Registrar Office, JR Gudem and working as such since 2014 and that he gets Rs.300/- per day. He further stated that his main duty is to collect the mamools from document writers on behalf of the Charged Government Servant and that at the end of the day he handover the mamools to the Charged Government Servant. He further stated that on 08.04.2015 he attended the office and collect mamools from document writers and that at about 3.00 PM, as he was not feeling well, he handed over the mamools amount of Rs.80,310/- to the Charged Government Servant and went to Eluru for medical checkup, later he came to know that the Anti Corruption Bureau officials were surprised by the Sub Registrar Office, JR Gudem.

When the Deputy Superintendent of Police asked the Charged Government Servant about allowing private persons and engaging Kattera Raju @ Peddiraju into the office, he did not give reply and he kept silent.

The private persons are not supposed to enter into the office with cash as the Government omitted the Rule No.200 vide G.O.Ms.No.108 dt.21.02.2000. The Government instructions issued in Circular Memo No.X2/10708/94, Dt.30.12.1997 of Commissioner & Inspector General of Registrations and Stamps, Andhra Pradesh, Hyderabad says that "In all cases of Surprise Checks, where unaccounted cash is found with the employee or in the presence of office, with the unauthorized persons in the office, the normal presumption shall be that it is illegal amount obtained from the parties".

Thus, the said Charged Government Servant, by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rule 3(1)(2) & 9(8A) (G.O.Ms.No.7, G.A.(Ser.C) Dept. 18.12.2003 of APCS (C) Rules, 1964.)

ARTICLE OF CHARGE – II

That the charged government servant allowed private person i.e., Kattera Raju @ Peddiraju and 3 document writers to enter into the office during and beyond office hours and utilizing their services in the office for his personal gain.

On credible information that the Sub-Registrar, Jangareddygudern, West Godavari District is indulging in corrupt practices by employing private persons un-authorized and collecting excess amounts/bribes from the public who approaches them for registration of their Documents and other official favours, a surprise check was conducted and the following are the facts revealed during surprise check.

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During surprise check the surprise check party found unauthorized persons by name Bhogaraju Srinivasu, Gudelli Ramesh Babu and Ayinampudi Raja Varma, Document writers. When examined they stated that they are document writers and collect bribe amounts on behalf of the Charged Government Servant from the persons coming for registration of their properties. They further stated that at the end of the transactions they will hand over the collected bribe amounts the Charged Government servant.

During the searches the search party found a wad of currency notes between the files which were kept in shelf available in the record room situated behind the podium of the Charged Government Servant, when it was counted by one of the mediators it is found to be Rs.1,76,460/-. When the Deputy Superintendent of Police questioned the Charged Government Servant about the money found in the current record room, he could not give proper reply and kept silent. As it is unaccounted amount the Deputy Superintendent of Police seized the said amount of Rs.1,76,460/- for further investigation.

ARTICLE OF CHARGE — III

That the Charged Government Servant did not take any action on long standing pending documents without any reason and exhibited gross negligence in his duty.

On credible information that the Sub-Registrar, Jangareddygudem, West Godavari District is indulging in corrupt practices by employing private persons un-authorized and collecting excess amounts/bribes from the public who approaches them for registration of their Documents and other official favours, a surprise check was conducted. During the surprise check the Deputy Superintendent of Police seized the attested copies of 9 pending documents, which are long pending from the tenure of Sri M.Jeevan Babu, Sub-Registrar vide Doc.No.P46/2006 and L.Venkateswarlu, Sub-Registrar vide Doc.No.P142/2012, P39/2013, P49/2013, P/29/2014, P30/2014, P31/2014, P32/2014 and the another document P21/2015 admitted by the Charged Govt. Servant. The above documents admitted by M.Jeevan Babu and L.Venkateswarlu, Sub Registrar Officers relating to prohibited list and kept pending the same without properly mentioning the reason for pending in the Minute Book and further they did not inform about the pendency of documents to the District Registrar. As per the guidelines of the Department the Sub-Registrars should not admit the documents, if those properties are mentioned in the prohibited list and as per the Circular Memo No.G1/3/7867/2010 dt.31.05.2010 of the Commissioner and Inspector General of Registration and Stamps Department, Andhra Pradesh, Hyderabad, the documents should be disposed off by the concerned Sub-Registrars within 7 working days. The Charged Government Servant failed to inform about the pendency of 8 documents that were admitted by his predecessors i.e. Jeevan Babu and L.Venkatesawarlu and did not take any action for their disposal as per the letter No.G1/290/2015 dt.24.04.2015 of the District Registrar, Eluru, West Godavari.

Thus, the said Charged Government Servant, by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rules 3(1)(2) 9(8A) of Andhra Pradesh Civil Services (Conduct) Rules 1964 and instructions issued in Circular Memo No.G1/3/7867/2010 dt.31.05.2010 of the Commissioner and Inspector General of Registration and Stamps Department, Andhra Pradesh, Hyderabad.

Thus the Charged Government Servant Sri Digumarthy Jayaraju, S/o. Venkanna, Sub-Registrar, O/o Sub Registrar Office, Jangareddygudem, West Godavari District is rendered himself for regular departmental action.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE, R&S)

SECTION OFFICER

ANNEXURE — III

LIST OF WITNESSES:

1. Sri Rayudu Swatantara Prasad, S/o R. George, Age: 40 yrs, Occ: Mandal Agricultural Officer, Unguturu Mandal, West Godavari District, r/o D.No.11-149/c, Xavier Nagar, Near NCC Office, Eluru.
2. Sri Kusuma Suvarna Raju, S/o Issac, Age: 55 yrs, Occ: Sr. Assistant, O/o J.D. Agriculture, West Godavari District, Eluru, R/o D.No.19-11-9/1, Dagarapuvuri Street, Chinapet, Bhimavaram.
3. Sri Bhogaraju Srinivasu S/o. Venkataratnam, aged 35 years, Document Writer, R/o. Door No.19-2-135/1, beside Sub Registrar Office, Jangareddygudem.
4. Sri Gudelli Ramesh Babu S/o. Aggi Ramudu, aged 33 years, Document Writer, R/o. Near RCM church, Devulapalli Village, Jangareddygudem Mandal, West Godavari District.
5. Sri Ayinampudi Raja Varma, S/o. Prasad, Age: 21 years, Document Writer R/o Near BC Girls Hostel, Parimpudi, Koyyalagudem Village and Mandal, West Godavari District.
6. Sri Kattera Raju @ Peddi Raju S/o. Suryanarayana, Age 43 years, Private person, working at SRO, JR Gudem, R/o. Denduluru (V) & (M), West Godavari District.
7. Smt.Pamula Vijaya Lakshmi, District Registrar, Eluru, West Godavari District.
8. Claimants and executants of the documents from whom the Charged Officer collected the excess amount have seized through document writers.
9. Sri K. Rajendra Rao, Deputy Superintendent of Police, Anti Corruption Bureau, Eluru Range, Eluru
10. Sri.U.J.Wilson, Inspector of Police, Anti-Corruption Bureau, Eluru Range, Eluru,
11. Any other witnesses they may be added during the course of enquiry.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE, R&S)

SECTION OFFICER

ANNEXURE-IV
LIST OF DOCUMENTS

1. Original Mediators Report (Surprise check proceedings) drafted in the office of the Sub-Registrar, Jangareddygudem in Rc No. 4/SC-EWG/2015 dated 08.04.2015.
2. Circular memo No G1/3/867/2010 dated 31.05.2010 of the Commissioner & Inspector General of Registrations and Stamps, Andhra Pradesh, Hyderabad.
3. Statement of pending document vide letter No.G1/290/2015 dt 11.04.2015 of the District Registrar, Eluru, West Godavari.
4. Letter regarding pending document vide No.G1/290/2015 dt.24.04.2015 of The District Registrar, Eluru, West Godavari.
5. Minute Book(VolumeNo8)
6. Pending Document Nos P39/2013, P142/2012, P49/2013, P29/2014, P30/2014,P31/2014,P32/2014 and P21/2015.
7. Any other documents those may be produced during the course of conducting departmental enquiry.

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